

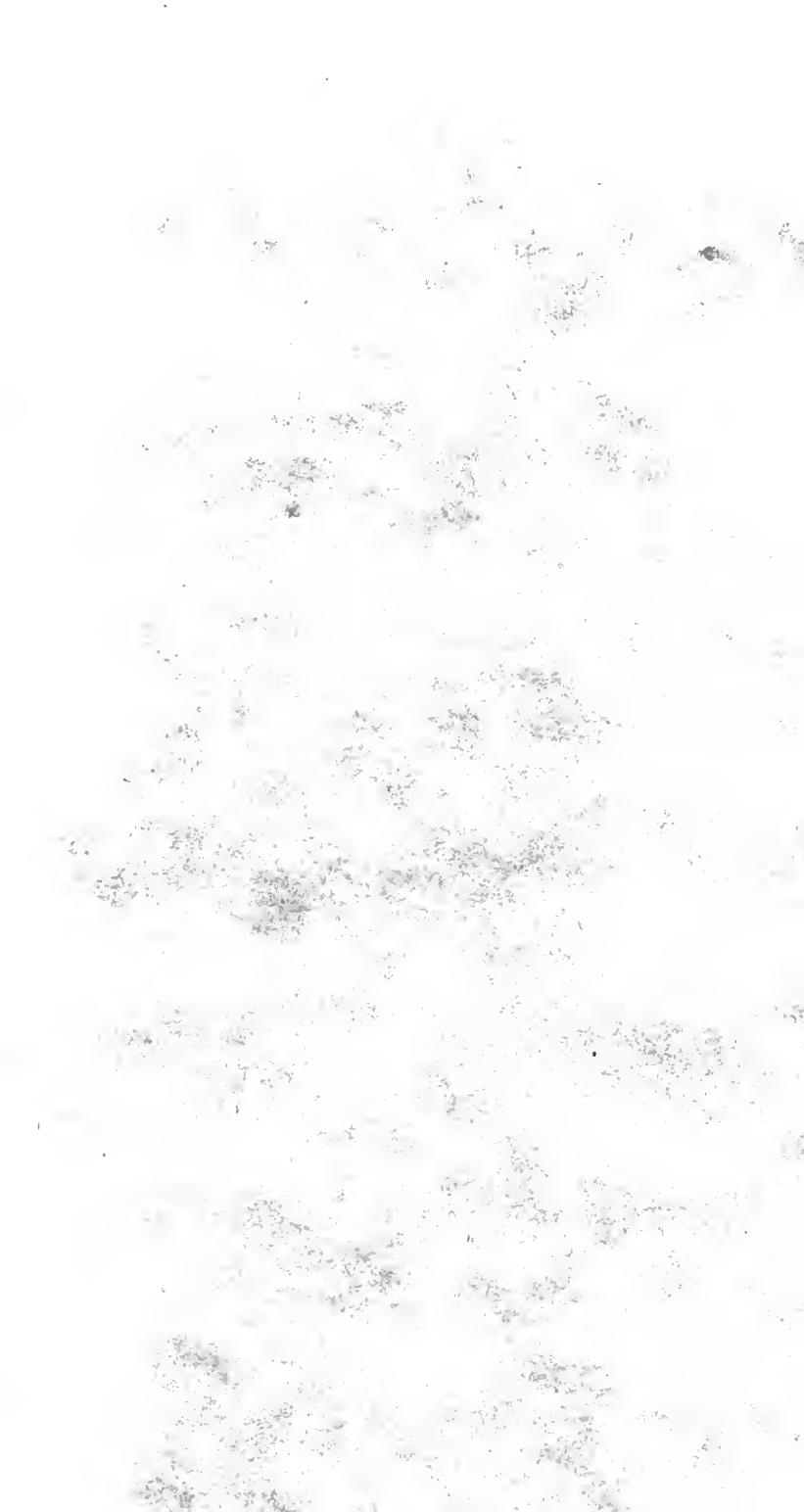
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MACKINTOSH
Speech of the Right Hon. Sir
James Mackintosh

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1831
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S P E E C H

OF THE

RIGHT HON. SIR JAMES MACKINTOSH,

MEMBER OF PARLIAMENT FOR KNARESBOROUGH,

ON THE

SECOND READING OF THE BILL,

TO AMEND THE

REPRESENTATION

OF THE

PEOPLE IN ENGLAND AND WALES,

ON MONDAY, THE 4th OF JULY, 1831.

LONDON :

JAMES RIDGWAY, 169, PICCADILLY.

M.DCCC.XXXI.

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S P E E C H,

&c. &c.

Lord John Russell moved the Second Reading of the Bill for reforming the Representation of the People in England and Wales, and Sir John Walsh having moved, as an Amendment, that this Bill be read a second time this day six months, which Amendment was seconded by Mr. Fynes Clinton, Sir James Mackintosh spoke to the following effect.

Mr. Speaker,

I FEEL no surprize, and, certainly, no regret, at the applause which followed the speech of the Honourable and Learned Gentleman, whose speeches never leave any unpleasant impression, but the reflection, that he speaks so seldom. Much of that excellent speech so immediately bears on the whole question of Parliamentary Reform, that it will naturally lead me to the consideration of the general principle of the Bill before us. I must, however, premise a very few remarks to the speech of the Honourable

Baronet; though I shall not follow him through his account of the squabble between the labourers and their employers at Mirthyr Tidvil, which I leave to the justice of the law, or, what is better, to the prudence and principle of both parties. Neither can I seriously handle his objection to the Bill, that it has produced a strong interest, and divided opinions throughout the kingdom. Such objections prove too much. They would exclude the most important questions, and, certainly, all reformatory measures. It is one of the chief advantages of free Governments, that they excite, sometimes to an inconvenient degree, but, upon the whole, with the utmost benefit, all the generous feelings, all the efforts for a public cause, of which human nature is capable. But there is one point in the ingenious speech of the Honourable Baronet, which, as it touches the great doctrines of the Constitution, and involves a reflection on the conduct of many Members of this House, cannot be passed over, without an exposition of the fallacy which shuts his eyes to very plain truths. Mr. Burke, indeed, in the famous speech at Bristol, told his constituents, that as soon as he was elected, however he might respect their opinions, his votes must be governed by his own conscience. This doctrine was indisputably true; but does he not, by his elaborate justification of his public conduct, admit their jurisdiction over it, and acknowledge, that if he failed in converting them, they had

an undoubted right to reject him. But if they could justly reject him, for differing from what they thought right, it follows, most evidently, that they might, with equal justice, refuse their suffrages to him, if they thought his future votes likely to differ from what they deemed indispensable to the public weal. If they doubted what that future conduct might be, they were entitled, and bound to require a satisfactory explanation, either in public or in private; and in case of unsatisfactory, or of no explanation, to refuse their support to the candidate. This duty the people may exercise in whatever form they deem most effectual. They impose no restriction on the conscience of the candidate; they only satisfy their own conscience, by rejecting a candidate, of whose conduct, on the most momentous question, they have reason to doubt. Far less could constituents be absolved, on the present occasion, from the absolute duty of ascertaining the determination of candidates on the subject of Parliamentary Reform. His Majesty, in his speech from the throne, on the 22d of April, was pleased to declare, “ I
 “ have come to meet you, for the purpose of
 “ proroguing Parliament, with a view to its im-
 “ mediate dissolution. I have been induced to
 “ resort to this measure, for the purpose of as-
 “ certaining the sense of my people, in the way
 “ in which it can be most constitutionally and

“ authentically expressed, on the expediency of
 “ making such changes in the representation as
 “ circumstances may appear to require; and
 “ which, founded upon the acknowledged prin-
 “ ciples of the Constitution, may tend at once
 “ to uphold the just rights and prerogatives of
 “ the Crown, and to give security to the liberties
 “ of the subject.” What answer could the people
 have made to the appeal thus generously made
 to them, without taking all necessary means to
 be assured that the votes of those, whom they
 chose, would sufficiently manifest to him the
 sense of his people, on the changes necessary to
 be made in the representation.

On subjects of foreign policy, a long silence
 has been observed on this side of the House;
 and undisturbed, I am bound to add, by the
 opposite side, for reasons which are very obvious.
 We are silent, and we are allowed to be silent;
 because, a word spoken awry, might occasion fatal
 explosions. The affairs of the Continent are so
 entangled with each other, and the mutual rela-
 tions of all nations are so embroiled, that we have
 forbore to express those feelings, which must agi-
 tate the breast of every human being, at the sight
 of that admirable and afflicting struggle on which
 the eyes of Europe are constantly, however si-
 lently, fixed. As it is admitted by the Honour-
 able Baronet, that the resistance of the French to
 usurpation last year was glorious to all who were

concerned in it; it follows that being just, it has no need of being sanctioned by the approbation of fortune. Whatever the event may be, the people of Paris were justified by the necessity of defending their legal liberties, and constitutional rights, against lawless violence. Who then are morally answerable for the unfortunate confusions which followed; for the farther commotion, which heaven avert, which may convulse France and Europe? Who opened the floodgates of discord on mankind? Not the friends of liberty; not the advocates of popular principles. Their hands are clean. They took up arms only to defend themselves against wrong. I hold sacred every retreat of misfortune, and desire not to disturb fallen greatness. But justice compels me to say, that the hands of the late King of France were made to unlock these gates by his usurping ordinances. "To open, but to shut, surpassed his power." The dangers of Europe do not originate in democratical principles, or democratical power. They arose from those who conspired the subversion of all popular rights, however sanctioned by oaths, by constitution, and by laws.

I shall now directly proceed to the latter part of the speech of the Honourable and Learned Member for Boroughbridge, which regards the general principle and character of this Bill. In doing so, I shall endeavour, as far as may be, not to displease the fastidious ears of the Honourable Baronet, by frequently repeating

the barbarous names of the Tudors and Plantagenets. I must, however, follow the Honourable and Learned Member to the fountains of our government and laws, whither, indeed, he calls upon me with no unfriendly voice to accompany him. That no example can be found from the time of Simon de Montfort to the present year, either in the practice of ancient legislation, or in the improvements proposed by modern Reformers, which sanctions the general principle of this Bill, is an assertion, which I am sure the Honourable Gentleman will discover to be unadvisedly hazarded.

I shall begin with one of the latest examples of a Reformer of great weight and authority—that which is afforded by the speech and the plan of Mr. Pitt, in 1785, because it does not only itself exhibit the principle of the schedules of this Bill, but because it proves, beyond all possibility of dispute, his thorough conviction that this principle is conformable to the ancient laws and practice of the Constitution. The principle of schedules A. and B. is the abolition, partial or total, of the elective rights of petty and dependent Boroughs. The principle of schedules C. D. and E. is the transfer of that resumed right to great towns, and to other bodies of constituents deemed likely to use it better. Let me now state Mr. Pitt's opinion, in his own words, on the expediency of acting on both these principles, and on the agreement of both with the ancient

course and order of the Constitution. His plan, it is well known, was to take away 72 Members from 36 small Boroughs, and to add them to the County Representation, with a permanent provision for such other transfers of similar rights to great towns, as should from time to time seem necessary. His object, in this disfranchisement and enfranchisement, was, according to his own words, to make the House of Commons an assembly which should have the closest union, and the most perfect sympathy with the mass of the people. To effect this object, he proposed to buy up these Boroughs by the establishment of a fund, (Cheers from the Opposition,) of which the first effect was expected to be considerable, and the accumulation would prove an irresistible temptation. Gentlemen would do well to hear the whole words of Mr. Pitt, before they so loudly exult. “ It “ is an indisputable doctrine of antiquity, that “ the state of the representation is to be changed “ with the change of circumstances. Change “ in the Borough Representation was frequent. “ A great number of the Boroughs, originally “ parliamentary, had been disfranchised—that “ is, the Crown had ceased to summon them “ to send Burgesses. Some of these had been “ restored on their petitions; the rest had “ not recovered their lost franchise. Consi- “ dering the restoration of the former, and the “ deprivation of the latter, *the Constitution had*

“ *been grossly violated, if it was true (WHICH HE*
 “ *DENIED,) that the extension of the elective franchise*
 “ *to one set of Boroughs, and the resumption of it*
 “ *from others, was a violation of the Constitution.*
 “ The alterations were not made from principle,
 “ but they were founded on the general notion
 “ which gave the discretionary power to the
 “ Crown, viz. that the principal places, and not
 “ the decayed Boroughs, should exercise the right
 “ of election.” I know full well that these
 Boroughs were to be bought. I also know, that
 the late Member for Dorset, (Mr. Banks,) the
 college friend, the zealous but independent sup-
 porter of Mr. Pitt, exclaimed against the pur-
 chase, though he applauded the Reform. How
 did Mr. Pitt answer? Did he say, I cannot deprive
 men of inviolable privileges without compensa-
 tion; I cannot promote Reform by injustice?
 Must he not have so answered, if he had con-
 sidered the resumption as “ Corporation Rob-
 bery?” No. He excuses himself to his friend. He
 declares the purchase to be “ the tender part of
 the subject,” and apologizes for it, as “ having
 become a necessary evil, if any Reform was to
 take place.” Would this great master of lan-
 guage, who so thoroughly understood and prac-
 tised precision and propriety of words, have
 called that a necessary evil which he thought an
 obligation of justice, the payment of a sacred debt?
 It is clear from the very words that follow, “ if
 any Reform were to take place,” that he regarded

the price of the Boroughs merely as a boon to so many Borough-holders to become proselytes to Reform. It is material also to observe, that as compensation was no part of his plans or suggestions in 1782 and 1783, he could not have consistently represented it as of right due. Another decisive reason renders it impossible to annex any other meaning to his language. He justifies his system of transfer, by analogy to the ancient practice of ceasing to summon some Boroughs, and to the prerogative in former times acknowledged, which summoned new Boroughs at pleasure. But the analogy would have failed, if he thought compensation due, for it is certain that no compensation was dreamt of, till his own plan. Why did he so strenuously maintain the constitutional authority to disfranchise and enfranchise, if he had entertained the least suspicion that it could not be exercised without an act of rapine? Another circumstance is conclusive. His plan, as may be seen in his speech, was to make the compensation to the Borough-holders; not to the poor freemen, the scot and lot voters, the pot-walloppers, whose spoliation has been so much deprecated on this occasion, and who alone could have any pretence of justice or colour of law. They at least have legal privileges. The compensation to the Borough-holders was to be for the loss of their profits by breaches of law. It could only be meant to satisfy and silence them; and it is impossible that it should be granted as an

indemnity for the forfeiture of just rights. One word only in Mr. Pitt's speech, may be thought favourable to another sense: "To a Reform by violence he had an insurmountable objection." Now these words might mean only an objection to effect his resumption by an act of the supreme power, when he could introduce the same good by milder means. The reports of that period were far less accurate than they now are. The general tenor of Mr. Pitt's speech must determine the meaning of a single word; and it seems to me impossible to believe, that he could have intended more than that he preferred a pacific accommodation of almost any sort to formidable resistance, and the chance of lasting discontent. His objection could only be founded on personal feelings, or on supposed expedience, in either of which cases it is nothing to my present purpose. What an imputation would be thrown on his memory, by supposing that he who answered the objection of Reform being *unconstitutional*, could pass over the more serious objection that it was believed by himself, or by any others who deserved the least consideration, to be *unjust*. I, therefore, most conscientiously declare my conviction, that Mr. Pitt's Reform was founded on the principle of the schedules, that of withdrawing the suffrage from some places, and conferring it on others; that both his plan and the present were founded on the law and practice of our ancient Government; and that his purchase of the influence over Boroughs, was merely

used as oil to smooth the movements of the machine, but by no means as a condition of the morality and justice of Reform. That I may not be obliged to return to this case, I shall add one other observation, which more strictly belongs to another part of the argument. Mr. Pitt never once hints, that the dependent Boroughs were thought necessary to the security of property. It never occurred to him that any one could think them intrinsically good. It was impossible that he could propose to employ a million sterling in demolishing the safeguards of the British Constitution. Be it observed, that this remark must be considered by all who respect the authority of Mr. Pitt as of great weight, even if they believe compensation and voluntary surrender to be essential to the justice of transferring the elective franchise.

It will, I think, be acknowledged by the Honourable and Learned Member for Aldborough himself, that there was a Reformer of great name before my noble friend, who maintained the transfer of the elective franchise, by disfranchisement and enfranchisement, to be conformable to ancient rights or usages, and for that reason, among others, fit to be employed as parts of a plan of Parliamentary Reform. The two sorts of Reforms proposed during the last seventy years, have been *simultaneous Reform, and progressive Reform*. Of the first it is manifest, that the two expedients of resuming the franchise from those who cannot use it for the public good, and bestowing it where it will probably be better employed, are indis-

pensible parts, or rather constitute the very essence.* I shall presently shew that it is impossible to execute the most slowly progressive scheme of reformation, without some application, however limited, of these now altogether proscribed principles.

I do not wish to displease the Honourable Baronet by frequent or extensive excursions into the middle age. But the Honourable and Learned Gentleman will admit that the right of the Crown to summon new Boroughs, was never disputed until its last exercise by Charles II. in the well known instance of Newark. In the Tudor reigns, this prerogative had added 150 Members to this House. In the forty-five years of Elizabeth, more than sixty were received into it. From the accession of Henry VII. to the disuse of the prerogative, the representation received an accession of about two hundred, if we include the cases where representation was established by Parliament, and those where it was restored, after a disuse of centuries. Let me add, without enlarging on it, that forty-four Boroughs, and a city which anciently sent Burgesses to this House, are unrestored at this day. I know no Parliamentary mode of restoring them, but by a statute, which would be in effect a new grant; and I believe, that if such matters were cognizable by courts of law, the Judges would presume, or, for greater secu-

* The Reforms proposed by Mr. Flood in 1790, and by Lord Grey in 1797, might have been added to those of Mr. Pitt in 1782, 1783, and 1785.

rity, advise the Jury to presume, after a disuse of so many centuries, that it had originated either in a surrender, or in some other legal mode of terminating the privilege. According to the common maxim, that there is no right without a remedy, we may infer, the absence of right from the absence of remedy. In that case, the disuse of summonses by the King, or his officers, must be taken to be legal, in spite of the authority of Serjeant Glanville, and his Committee, who, in the reign of James I. held the contrary doctrine. But I wave this question, because the answer to it is needless to the purpose of my argument. It is enough for me that the disuse had been *practically* maintained without being questioned, till the end of James the First's reign, and that it still shuts our doors on ninety persons who might otherwise be chosen to sit in this House. The *practice* of resuming the franchise, therefore, prevailed as certainly in ancient times, *as the legal prerogative of conferring it*. The effect of prerogative and practice combined, was to take from the representation the character of immutability, and to bestow on it that flexibility which, if it had been then properly applied, might have easily fitted it for every change of circumstances. These powers were never exercised on any fixed principle; the prerogative was often grievously abused; but the abuse chiefly consisted in granting the privilege to beggarly villages, or to the manor or demesne of a favoured Lord. There are few ex-

amples of withholding the franchise from considerable towns. On a rapid review of the class of towns next of importance to London, such as York, Bristol, Exeter, Norwich, Lincoln, &c., it appears to me, that they all sent Members to the House of Commons of Edward I. Boston did not occur to me; but, admitting the statement respecting that place to be accurate, the Honourable and Learned Gentleman must allow this instance to be at variance with the general spirit and tendency of the ancient Constitution, in the distribution of elective privileges. I do not call it an exception to a rule, for there were no rules; it was no departure from principle, for no general principle was professed, or, perhaps, thought of; but it was at variance with that disposition not to leave great towns unrepresented, which, though not reduced to system, yet practically influenced the coarse good sense of our ancestors, and, what is remarkable, is most discernible in the earliest part of their legislation.

It was not the Union with Scotland that stopped the exercise of the prerogative. The enfranchisement of Newark occurred thirty years before the Union; and Newark itself was a single instance of its exertion for near seventy years before the Union. We know that the Stuart Kings dreaded an increase of Members in this House, as likely to bestow a more democratical character on its proceedings; but the true cause of the extinction of this prerogative, was the jealousy of a

people become more enlightened and vigilant of a royal power which had been abused, and which might be made the means of enslaving the kingdom. The adverse discussions in this House respecting the admission of the Members for Newark, though they ended favourably to the Crown in that instance, afforded such a specimen of the general sentiments and temper respecting the prerogative, that no man was bold enough to advise its subsequent exercise.

The course of true wisdom would have been to regulate the employment of the royal power by a law, which, acting quietly, calmly, but constantly, without a shock, and without interruption, would have removed or prevented all inconvenient or gross inequality in the representation. Had such a law been substituted for the prerogative, the dangers of so irregular an agent would have been averted, and the excellent principle contained in it, would have for ever saved the Constitution from the necessity of a simultaneous reformation. It would have then been necessary only to enact that every town, which rose to a certain number of houses, should be summoned to send Members to Parliament, and that every town which fell below a certain number, should cease to be so summoned; the good principle of the ancient system would thus have become a regulator of the representation, and it would have been entirely purified from the evil which had tainted its practice. The unfortunate neglect of substituting a good law for

a perilous prerogative, occurred at the period when some remedial power was most wanted. The regulator of the representation which had been abusively active in stationary times, was suffered to drop out of the machine at a moment when it was so much needed to fit the elective system to the rapid and prodigious changes which afterwards followed in the state of society; when vast cities sprung up in every province, and, in the latter part of this period, the manufacturing world may be said to have been created. There was no longer any renovating principle in the frame of the Constitution. All the marvellous works of industry and science were unnoticed in our representation. The changes of a century and a half since the case of Newark, the social revolution of the last sixty years, altered the whole condition of men more than the three centuries which passed before; the representation alone stood still. It is to this interruption of the *Vis medicatrix et conservatrix* of the commonwealth that we owe the necessity of now recurring to an extensive and simultaneous Reform, of which I do not dispute the inconveniences. We are now called on to pay the arrears of a hundred and sixty years of an unreformed representation. The immediate settlement of this constitutional balance is now difficult; it may not be without danger; but it is become necessary to avoid ruin, and it may soon be impossible to save us by that, or by any other means.

But we are here met by a serious question,

which, being founded on a principle generally true, acquires a great effect by specious application. We are reminded by the Honourable and Learned Gentleman, that Governments are to be valued for their beneficial effects, not for their beauty as ingenious pieces of machinery. We are asked, what is the practical evil which we propose to remove, or even to lessen by Reform? We are told, that the representative system works well, and that the excellence of the English Constitution is attested by its admirable fruits, for at least a century and a half. I dare not take the high ground of denying the truth of the facts thus alleged. God forbid that I should ever derogate from the transcendent merits of the English Constitution, which it has been the chief occupation of my life to study, and which I now seek to reform, because I love it. I verily believe, that repair is now the most likely means of preserving our fundamental institutions.

Much as I love and revere the Constitution, I must say, that, during the last century, the representation has not worked well. I do not mean to undervalue its general results; but it did not work well for one grand purpose, without which, no other benefit can be safe. The means employed in elections, worked all respect for the Constitution out of the hearts of the people. The foulness, and shamefulness, or the fraud and mockery of Borough elections, slowly weaned the people from

their ancient attachments : they were less competent, perhaps, than some others, to draw up the general comparison of good and evil ; but they were shocked by the barefaced corruption which the increasing frequency of contests brought home to them. These disgusting scenes could not but uproot attachment to the Government to which they seemed to pertain. They could see nothing venerable in venality—in bribery—in the sale of seats—in the gift of other seats—in nominal elections carried on by individuals, under a pretext and disguise of popular form.

It is true, that the vile machinery of openly marketable votes, was the most powerful cause which alienated them. But half the nomination Boroughs were marketable. I know one nomination Borough where no seat was ever sold ; where no Member ever heard a whisper of the wishes of a patron ; where a Member was under no restraint beyond the ties of political opinion and friendship, which he voluntarily imposed upon himself. It does not become me to say how the Member to whom I advert would have acted in other circumstances ; but I am so firmly convinced of the generous nature of one of the parties, as to be convinced that he would, as much recoil from imposing dependency, as any other man could recoil from submitting to it. I do not pretend to say that this is a solitary case ; but I believe it to be too favourable an instance to be a fair sample of general practice.

Even in the best cases, the pretended election was an eye sore to the inhabitants of Boroughs. A lie was solemnly acted before their eyes. The popular principles of the Constitution had taught them, that popular elections belonged to the people. The letter of the law declared, that election should be free. The laws for successive ages had expressly forbidden all those acts at elections, which were now become the ordinary means of obtaining a parliamentary seat. These odious and loathsome means became more general as the country increased in wealth, and as the people grew better informed, more jealous of encroachment, and more impatient of exclusion. In the times of the Stuarts and Tudors, the Burgesses, we see from the lists, were very generally the sons of neighbouring Gentlemen, chosen with little contest and noise, and so little affected by bribery, that when it occurred, we find it mentioned as a singular event. It was after the Revolution that monied candidates came from the capital to invade a tranquillity, very closely allied to blind submission. These unhappy practices began in the best times of the community and of the Constitution; they became more gross as the people grew more keen-sighted, and they reached their utmost rankness, when the nation, by the agitations of the world, were most prepared to loathe them. At length, the worst of all practical effects was produced. The Constitution sunk in popular estimation. The bulk of the inhabitants were

estranged from the objects of their hereditary reverence. Elections were the portion of our Constitution which came into most frequent contact with the majority of men. Seeing in many of them nothing but debauchery, riot, the sale of a right to concur in making law, the purchase in open market of a share in the choice of law-givers, absolute nomination under the forms of election, they saw that many immoral, many illegal practices became habitual, and were even justified. Was it not natural for the majority of honest men to judge rather by their moral feelings, than by refined arguments, founded on a calm comparison of these evils, with the counteraction of the free principles of the Constitution? Such at least was the effect of this most mischievous practice, that when any misfortune of the country, any error of the Government, any commotion abroad, any disorder at home arose, they were all ascribed with exaggeration, but naturally to the corruption, which the humblest of the people saw had tainted the vital organs of the Commonwealth. The scandal of elections spread over the Government.

My Honourable and excellent Friend, the Member for the University of Oxford, indeed, told the last Parliament, that the clamours of the representation were only momentary cries, which, however magnified at the moment, always quickly yielded to a vigorous and politic Government. He might have looked back somewhat

farther. What were the Place Bills, and Triennial Bills of Sir Robert Walpole's time? Were they not, in truth, demands of Parliamentary Reform? The cry is therefore one of the symptoms of a distemper, which has lasted for a century. But to come to his more recent examples. In 1770, Lord Chatham was the agitator; Mr. Burke was the incendiary pamphleteer, who exaggerates the importance of a momentary delusion, which subsided as quickly as it had risen. Unfortunately for this reasoning, every instance confutes the inference drawn from the preceding. It subsided after 1770, but it revived in 1780, under Sir George Saville; under Mr. Pitt in 1782, 1783, 1784: it was felt at the time of Mr. Flood's motion in 1790: Lord Grey's motion in 1797, was supported by respectable Tories, such as Sir W. Dolben, Sir R. Hill, and by conscientious men, more friendly to Mr. Pitt than to his opponents, of whom it is enough to name Mr. H. Thornton, then Member for Surry: so that instead of being the flashes and eruptions of transient delusion, these constantly recurring complaints of an evil representation, are the symptoms of a deep-rooted distemper, sometimes breaking out, sometimes dying away, sometimes repelled, but always sure to return, now actually re-appearing with resistless force in the election of 1830, and still more decisively in the election of 1831. The cries are not the evil; they are proofs of the existence of a malady, liable to be called into convulsive action, by causes which, in

the course of human affairs, must constantly occur. The evil is not the occasional disturbance, but the disordered state which exposes the community to its recurrence. But if we seek for an occasional provocation, which roused the people to a louder declaration of their opinions, where shall we find a more unexceptionable witness, than one of the ablest and most unsparing opponents of the Ministers and of their Bill. Mr. Henry Drummond, in his very able address to the Freeholders of Surry, explicitly ascribes the irritation which now prevails to the unwise language of the late Ministers. The declaration of the late Ministers against Reform, says he, “proved their gross ignorance of the national feeling, and drove the people of England to despair.”

Many allege that the people have gained so much strength and influence through the press, that they need no formal privileges or legal franchises to reinforce it. If it be so, I consider it to be a decisive reason for reformation. A country in which the great body of men are become powerful by their intelligence and by their wealth, while they are exasperated and alienated from the laws by exclusion from political rights, where their anger is roused and their pride is insulted, never can be in a safe condition. I hold it to be one of the most invariable maxims of legislation, to bind to the Constitution, by the participation of legal privilege, all persons who have risen in wealth, in intelligence, in any of the legitimate

sources of ascendancy over others. I would do what our forefathers, though rudely, aimed at doing, by calling into the national councils every rising portion of the community.

The grand objection to this Bill is what ought to be fatal to any Bill, if the objection had any foundation but loud and bold assertion—that it is unjust. This argument was never, indeed, urged by the Right Honourable Baronet, and it seems to be on the eve of being abandoned. But the walls of the House still seem to resound with the vociferations of my Honourable and Learned Friend, the Member for Boroughbridge, against what he called “Corporation Robbery;” though many of the Boroughs were not Corporations, though none who were would be deprived of their corporate rights; and most of all, if they had been all Corporations to be divested of their character, divested of rights which had been, or were likely to be abused, the term “Robbery” would have been ridiculously inapplicable. My Learned Friend repeated that phrase so often, so audibly, so sonorously, that it must still ring in the ears of those who were Members of the last Parliament. Examples are more striking than general reasonings. Was the Disuse of Summons, which still excludes near a hundred Members from this House, an “Act of Robbery?” Was the Union with Scotland, which reduced the Borough Representation from sixty-five to fifteen, an Act of Robbery? Yes, surely, it was, if the term can be

properly applied to this Bill. The Scotch Boroughs were thrown into clusters of four and five, of which each cluster sent a Burgess. But if it be robbery to take away the whole of a franchise, it is in principle as violent an invasion of property to take away four-fifths or three-fourths of it. The two acts, as far as regards justice, must stand or fall together. What will be said of the Union with Ireland? Was it "robbery" to reduce the Representation from 300 to 100 Members? Was it robbery to disfranchise 100 Boroughs on the very principle of the present Bill, that these suppressed Boroughs were decayed, dependent, unfit for the franchise? The Irish Union was a reformatory measure; it was founded on the resumption of the elective rights from electors who could not use them independently. Was it robbery to deprive the Peers of Scotland of their birthright, and compel them to be contented with a possibility of being occasionally elected? Was it robbery to mutilate the legislative rights of the Irish Peerage?—No; because, in all these cases, the powers taken away or limited were trusts resumable by Parliament for the general well-being.

Farther, I contend that if this be robbery, every Borough disfranchised for corruption has been robbed of its rights. Talk not to me of the *guilt* of these Boroughs; individuals are innocent or guilty—bodies politic can be neither. If the disfranchisement of corrupt towns be considered as a punish-

ment for an offence, it is a hideous mass of iniquities. Where is the trial—where are the witnesses on oath—where are the precautions against partiality—where are the responsible Judges? Who, indeed, are the Judges? Men who have practised, and who now avow, as the best part of the Constitution, the very offence for which they are bold enough to *punish* Boroughs. Why, in such cases, are the unborn punished for the offences of the present generation? Why should the innocent minority suffer for the sins of a venal majority? If the rights of unoffending parties are reserved, of what importance is the preservation, if they are drowned in hundreds or thousands of fellow voters? Would not the opening of the suffrage in the City of Bath be as destructive to the close corporation as if they were by name disfranchised? Viewed in that light, every Bill for the disfranchisement of a Borough, is a Bill of Pains and Penalties, and in the nature of a Bill of Attainder. How are these absurdities avoided? Only by the principle of this Bill, that political trust may be justly resumed by the supreme power, whenever it is deemed injurious to the Commonwealth. The test which distinguishes property from trust, is simple, and easily applied. Property exists for the benefit of the proprietor; political power exists only for the service of the State. Property is, indeed, the most useful of all human institutions. It is so, because the power of every man to do what he will with his own, is

beneficial and essential to human society. A trustee is legally answerable for the abuse of his power: a proprietor is not amenable to law for any mis-use of his property, unless it should involve a direct violation of the rights of other men. It is for this violation only, not at all the mis-use of his proprietary right, considered merely as such, that he can be justly answerable to human laws. It is true that every man is answerable to God, and his own conscience, for a bad use of property. It may be immoral, in the highest degree. But the existence of property would be destroyed, if any human authority could controul the master in his disposal of that which the law has subjected to his exclusive power. It is said, that property is trust; and so it may, in figurative language, be called. It is a moral trust, but not a legal trust. In the present argument, we have to deal only with legal trusts. The confusion of trust with property misled the Stewarts so far, that they thought the kingdom their property. They were undeceived by the Revolution, which taught us, that no man can have a property in other men. It has, therefore, decided the question before us. Every voter has, by the force of the term, a share in the nomination of lawgivers. He has, thus far, a part in the Government; and all Government is a trust. Otherwise, if the voter, as such, were a proprietor, he must have a property in his fellow citizens, who are governed by laws, of which

he has a share in naming the makers. I have only to add, on this subject, that if the doctrine of property be admitted, all Reform is for ever precluded. Even the enfranchisement of new Boroughs or Districts must be renounced, for every addition diminishes the value of the previous suffrage; and it is no more lawful to lessen the value of property, than to take property from the proprietor. Unless I am grossly deceived, there never was a more groundless cry than that of corporation robbery.

Of all doctrines which threaten the principle of property, none more dangerous was ever promulgated, than that which confounds it with political privilege. None of the disciples of St. Simon, or of the followers of the ingenious and benevolent Owen, have struck so deadly a blow at property, as those who would reduce it to the level of the elective rights of Gatton and Old Sarum. Property, the nourisher of mankind, the incentive of industry, the cement of human society, will be in a perilous condition, if the people be taught to identify it with political abuses, and to deal with it as being involved in their impending fate. Let us not teach the spoilers of future times to represent the resumption of a right of suffrage as a precedent for the seizure of lands and possessions. The two acts have nothing in common. It is as full of danger as it is of absurdity, to confound such distinct, and, in many respects, contrary

notions. They cannot be likened to each other with any shew of reason, and without the utmost derogation from the sanctity of property.

Much is said in praise of nomination, which is now called "the most unexceptionable part of our Representation." To nomination, it seems, we owe the talents of our young Members; the prudence and experience of the more aged. It supplies the Colonies and Dependencies of this great empire with virtual Representation in this House. By it commercial and funded property finds skilful advocates, and intrepid defenders. The whole of these happy consequences is ascribed to that gross and flagrant system of breaches of law, which are now called the practice of the English Constitution.

I never had, and have not now any objection to the admission of Representatives for the Colonies into this House, on fair and just conditions. I cannot conceive that a Bill which is objectionable, as raising the commercial interest at the expense of the landed, will also lessen the safeguards of their property. Considering the well known and most remarkable subdivision of funded income, (the most minutely divided of any mass of property,) I do not believe that any representatives, or even any constituents, could be ultimately disposed to do themselves so great an injury as to invade it. The chain which connects together all classes of the community, is sufficient to lead men at once respectable and opulent into this House.

Men of genius, and men of experience, have found their way into this House through nomination, or through worse means, through any channel that was open : the same classes of candidates will direct their ambition and their efforts to the channels opened by the present Bill : they will soon attain their end by varying their means.

A list has been read to us of illustrious men who found an introduction to Parliament, or a refuge from unmerited loss of popularity in decayed Boroughs. What does such a catalogue prove, but that England, for the last sixty years, has been a country full of ability, of knowledge, of intellectual activity, of honourable ambition, and that a large portion of these qualities has flowed into the House of Commons? Might not the same dazzling common places have been opposed to the abolition of the Court of Star Chamber? "What," it might have said, "will you, in your frantic rage of innovation, demolish the tribunal in which Sir Thomas More, the best of men, and Lord Bacon, the greatest of philosophers, presided; where Sir Edward Coke, the oracle of law; where Burleigh, and Walsingham, the most revered of English Statesmen, sat as Judges; which Bacon, enlightened by philosophy and experience, called the peculiar glory of our legislation, which alone had established "a Court of Criminal Equity?" Will you, in your paroxysms of audacious phrenzy, abolish this Prætorian Tribunal,

this sole instrument for bridling popular incendiaries? Will you dare to persevere in your wild purpose, at a moment when Scotland is agitated by a rebellious league and covenant; when Ireland is threatened with insurrection and massacre? Will you surrender the shield of the Crown, the only formidable arm of prerogative, at a time when His Majesty's authority is openly defied in the capital where we are assembled?" I cannot, indeed, recollect a single instance in that long course of Reformation, which constitutes the History of the English Constitution, where the same plausible arguments, and the same exciting topics, might not have been employed against the Reform, which are now pointed against the present measure. The Honourable and Learned Gentleman has alluded to Simon de Montfort, the first and most extensive Parliamentary Reformer, who raised the class of Burgesses, allowing them to sit in Parliament. The haughty and unlettered Barons disdained argument; but their cries were doubtless loud and vehement: even they could exclaim that the new Constitution was an untried scheme—that it was a daring experiment—that it would level all the distinctions of society—that it would throw the power of the State into the hands of traffickers and Burgesses. Men yesterday slaves, but now to be seated by the side of Plantagenets in the arduous duty of making laws, and who, in their mu-

tinies and revolts during their slavery, had shewn what might be expected from them when intoxicated by new power." Are these not the topics which are substantially used against Parliamentary Reform? They are now belied, by an experience which has taught us that the adoption of the lower classes into the Constitution, the concessions made to them, and the widening of the foundation of the Legislature, have been the source of peace, of order, of harmony, of all that is excellent in our Government, and of all that secures the frame of our society. The Habeas Corpus Act, in the reign of Charles the Second, was obtained by the repeated, persevering, unwearied exertions of the Earl of Shaftesbury, after a meritorious struggle of many years. I mention the facts with pleasure in the presence of his descendant. It is now well known, from the confidential correspondence of Charles and his brother James, that they both believed sincerely that a Government without the power of arbitrary imprisonment could not exist; and that Shaftesbury had forced this Act of Habeas Corpus upon them, in order, either to expose them unarmed to the populace, or to drive them to the odious and precarious instrument of an army. The belief of the royal brothers was the more incorrigible, because it was sincere. It is the fatal effect of absolute power to corrupt the judgment of the possessors, and to insinuate into their minds the false and pernicious opinion, that power is always weakened by limitation, and that

the admission of new men to privilege, at all times strengthen rivals, and never converts them into friends.

Shall I be told, that the sale of seats is not in itself an evil ? The same most ingenious person who hazarded this paradox, quoted the example of the sale of the judicial office in Old France, with a near approach to approbation. That practice had been vindicated by French writers of great note, and had, in fact, many guards and limitations not to be found in marketable Boroughs : but it has been swept away by the Revolution ; and there is now no man disposed to palliate its shameless enormity. The grossest abuses, as long as they prevail, never want advocates, who find specious mitigations of them : their downfall discovers their deformity to every eye. For my part, I do not see, why the sale of a power to make laws, should not be as immoral as the sale of a power to administer laws.

An elective system which degrades the Constitution, and blinds men to its benefits and blessings, is the greatest of all the practical evils which can exist in such a government as ours, consistently with the preservation of its ancient forms. Half the Nomination Boroughs are marketable ; and by their notoriously mercenary nature, undermine all attachment to the frame of the government. Even the best of them are an eye-sore to the people, and have brought a lasting

scandal on the Constitution, which, unless the ground of it be removed, will prove fatal to all our institutions. Open venality has most contributed to the alienation of the people. But the disguise of nomination under elective forms has most powerfully aided. It is so flimsy an imposture, it is a fraud so universally seen through, it is a delusion which so certainly deludes nobody, that the trespass on the privileges of the people is aggravated by an insult to their understandings.

We have heard it said, that the Peerage, and even the Monarchy, cannot survive the loss of these Boroughs; and we are referred to the period since the Revolution during which this influence has been their main guard against popular assault and dictation. I respectfully lay aside the Crown in this debate; and in the few words that I am now about to utter, I am desirous to express myself in cautious and constitutional language. Since the Revolution, since the defeat of the attempts to establish absolute Monarchy, the English Government has undoubtedly become Parliamentary. But since that time, also, the hereditary parts of the Constitution have been uniformly respected as wholesome temperaments of the rashness of popular assemblies. I can discover nothing in this change which will disable the Peers from usefully continuing to perform this duty. If some inconvenient diminution of the influence of great property should follow, we must encounter the risk; for nothing can, in my judgment, be more certain, than that the Consti-

tution can no longer bear the weight of obloquy and scandal thrown upon it by the elections. The community cannot afford to purchase any advantage at such an expense of character and safety: but so great is the natural influence of property, especially in a country where the various ranks of society were so long bound together by friendly ties, that I can scarcely conceive any laws or institutions which could much diminish the influence of well spent wealth, whether honourably inherited, or honestly earned.

The benefits of reformation might indeed be hazarded, if the great proprietors were to set themselves in battle array against the permanent desires of the people, for the restoration of their privileges. If they treat their countrymen as adversaries, they may excite a hostile spirit against themselves, if they deal with every proposal to enlarge the rights of the laborious classes, as a wrong done to the higher ranks, they must be prepared for reaping the fruits of the lessons which they teach. Distrust will beget distrust: jealousy will awaken an adverse jealousy. The superior classes may, by their behaviour at this critical moment, sow the seeds of lasting, and, perhaps, fatal discord in a reformation which is intended to be a treaty of peace. I trust that these evil consequences may not arise. The nobility of England, in former times, have led their countrymen in the battles of liberty. Those among them who are most distinguished by ample

possessions, by historical names, by hereditary fame, interwoven with the glory of their country, have, on this occasion, been the foremost to shew their confidence in the people, their unsuspecting liberality in the enlargement of popular privilege, their reliance on the sense and honesty of their fellow citizens, as the best safeguard of property and of order, as well as of all other interests of society. Already, this measure has exhibited a disinterestedness which has united all classes, from the highest Borough-holder to the humblest non-resident freeman, in the sacrifice of their own exclusive advantages to what they think a great public good. There must be something good in what produces so noble a sacrifice.

This is not solely a *reformatory* measure; it is also *conciliatory*. If it were exclusively proposed for the amendment of institutions, I might join in the prevalent cry that it goes too far, or at least travels too fast, farther and faster than the maxims of wise reformation would warrant. But as it is a means of regaining national confidence, it must be guided by other maxims. In that important view of the subject, I consider the terms of this plan as of less consequence than the temper which it breathes, and the spirit by which it is animated. A conciliatory measure deserves the name only, when it is seen and felt by the simplest of men, to flow from the desire and determination to conciliate. At this moment, when, amidst many causes of discord, there is a general sympathy in

favour of reformation, the superior classes of society, by opening their arms to receive the people—by giving to the people a signal and conspicuous proof of confidence—by putting trust in the people, may reasonably expect to be trusted by the majority of their countrymen. But to reach this end, they must not only be, but appear to be liberally just and equitably generous. Confidence can be purchased by confidence alone. If the leading classes follow the example of many of their own number ; if they shew, by gracious and cheerful concessions, by striking acts, not merely by specious language or cold formalities of law, that they are willing to rest on the fidelity and conscience of the people, I do not believe that they will lean on a broken reed. As for those wise laws which teach us that there is always danger in trust, and that policy and generosity are at perpetual variance, I hold them in little respect. Every unbending maxim of policy is hollow and unsafe ; base principles are often not the more prudent because they are pusillanimous. I rather agree with the beautiful peroration of Mr. Burke's second speech on North America : “ Magnanimity
 “ in politics is not seldom the truest wisdom : a
 “ great empire and little minds go ill together. If
 “ we are conscious of our situation, and glow with
 “ zeal to fill our place, as becomes our station and
 “ ourselves, we ought to auspicate our proceed-
 “ ings respecting America, with the old warn-
 “ ing of the Church ‘ *Sursum Cortæ.*’ We

“ ought to elevate our minds to the dignity of that
 “ trust, to which the order of Providence has
 “ called us.”

Whether we consider this measure, either as a scheme of reformation, or an attempt to form an alliance with the people, it must be always remembered, that it is a question of the *comparative safety or danger* of the only systems now before us for our option—that of undistinguishing adherence to present institutions—that of ample redress and bold reformation—and that of niggardly, evasive, and unwilling Reform. I say comparative safety or danger; for not one of those who have argued this question seem to have remembered that it has two sides. They have thrown all the danger of the times upon the Reform. They load it with as much odium as if the age were otherwise altogether exempt from turbulence and agitation, and first provoked from its serene quiet by this wanton attempt. They make it answerable for mischiefs which it may not have the power to prevent, and which might have occurred if no such measure had ever been attempted. They, at least, tacitly assume that it must aggravate every evil arising from other sources. In short, they beg the whole question in dispute. They ask us whether there be not danger in Reform. I answer by asking them, “ Is there no danger in not reforming?” A question which they have not never yet attempted to answer, and to which I expect no answer now, because the negative answer seems to me impos-

sible, and an affirmative answer reduces the whole discussion to a cool computation and calm comparison of the different degrees of safety and danger in the various systems open for our choice. Niggardly Reform seems to me the most unsafe of all systems. It cannot conciliate, for it is founded in distrust. It practically admits an evil, of which dissatisfaction is a large part ; and yet it has been already proved by experience that it satisfied nobody. It is already spurned by the nation. We know that this plan, instead of being a final adjustment, will not bring over to the Government a single individual. Other systems may be unsatisfactory. This scheme is so already, and must so continue to be. In the present temper of the people, and circumstances of the world, I cannot see one good purpose to be answered by evasive and delusive Reforms. How could the people trust the determined enemies of the smallest step towards reformation, who had refused so much less than was now extorted from them ; who, to avoid the grant of franchise to Birmingham, had broken up an Administration, whose reasonings were still as really inconsistent with the least as well as with the greatest Reform ; and who, if they be sincere, must try every expedient to render impotent a measure which they could no longer venture avowedly to oppose. They who submit to partial Reform only as the least evil, must struggle to reduce the evil to the smallest possible amount.

On the other hand, the effect of the Bill before us has hitherto confirmed the opinion of those who thought that a measure of conciliatory temper, and of large and liberal concession, would satisfy the people. Experience has, so far, countenanced their hopes. The tone and demand of petitions, which were at first extravagant, became moderate and pacific, as soon as the Bill was known; it appeared to compose, instead of irritating them. They saw a substantial reformation proceeding from sincere Reformers, and they sacrificed their vague projects to what went beyond their hopes, at least as much as it fell short of the creed which had been breathed into them. Nothing can be more ludicrously absurd, than the supposition, that several millions of men are such deep dissemblers, such dark conspirators, as to withdraw from view all their farther projects, till the Bill arms them with the means of carrying such projects into execution. The body of the people cannot fail to be sincere. I do not expect any measure of legislation to work miracles. Discontent may and will continue; but it is suspended, and I believe that it will be permanently abated. I do not see why the present reformation may not, in due time, satisfy the more considerate, whose opinion is naturally calculated to spread among their equals and associates, who partake in their feelings and habits of thinking, who

touch them at every point, and whose interests are visibly and glaringly the same with their own. Others, there doubtless are, who foretell far other effects. It seems to me, that the favourers of the Bill rest their predictions on more probable foundations.

Among the numerous assumptions of our opponents, there is none which appears to me more remarkable, than their taking for granted that concession is always, or even generally, more dangerous to the stability of Governments, than resistance. As the Right Honourable Baronet introduced several happy quotations from Cicero on this subject, which he seemed to address more particularly to me, I hope I shall not be charged with pedantry, if I begin my proofs of the contrary from history, with the testimony of that great writer. In the third book of his book *De Legibus*, after having put an excellent aristocratical speech, against the tribunitian power, into the mouth of his brother Quintus, he proceeds to answer the attack in his own person in a discourse, which contains the following sentence, “*Concessâ Plebi a Patribus istâ Potestate, arma ceciderunt, restincta seditio est, inventum est temperamentum quo tenuiores cum principibus æquari se putarint; in quo uno fuit civitatis Salus.*” It will not be said, that Cicero was a radical or a demagogue, or that he had any personal cause to be favourable to the tribunitian power. It will not be said, that to

grant to a few, a right to stop the progress of every public measure, was a slender, or likely to be a safe concession. The ancients had more experience of democracy, and a better knowledge of the character of demagogues, than the frame of modern society allows us the means of attaining. This great man, in spite of his natural prejudices, and just resentments, ascribes to this apparently monstrous power not merely the spirit and energy which may be expected even from the excess of popular institutions, but whatever safety and tranquillity the Commonwealth enjoyed through a series of ages. He would not, therefore, have argued, as has been argued on this occasion, that if the multitude appeal to violence, before legal privileges are conferred on them, they will be guilty of tenfold excesses when they become sharers in legitimate authority. On the contrary, he lays it down in the context of the passage quoted, that their violence is abated, by allowing a legal vent to their feelings.

But it appears to be taken for granted, that concession to a people is always *more dangerous to public quiet than resistance*. Is there any pretence for such a doctrine? Does it receive any support from the testimony of history? I appeal to history, as a vast magazine of facts, leading to the very opposite conclusion, of facts, which teach that this fatal principle has overthrown thrones and dismembered empires; proving that late Reformation, dilatory Reformation, Reformation refused at

the critical moment, which may pass for ever, in the twinkling of an eye, have been the most frequent cause of the convulsions which have shaken states, and for a time burst asunder the bonds of society ; sometimes laying open a ground on which liberty may be built, but sometimes, also, preparing a community for taking refuge in a sterner despotism than that from which they escaped.

Allow me very briefly to advert to the earliest revolution of modern times. Was it by concession that Phillip II. lost the Netherlands? Had he granted timely and equitable concessions ; had he not plotted the destruction of the ancient privileges of these flourishing provinces, under pretence that all popular privilege was repugnant to just authority ; would he not have continued the master of that fair and affluent portion of Europe? Did Charles I. lose his throne and his life by concession? Is it not notorious, that if, before losing the confidence of the Parliament and people, (after that loss all his expedients of policy were vain, as in such a case all policy is unavailing,) he had adhered to the petition of right, to which he gave his royal assent ; if he had forborn from the persecution of the Puritans ; if he had refrained from levying money without a grant from Parliament ; he would, in all human probability, have reigned prosperously to the last day of his life. If there be any man who doubts it, his doubts will be easily removed without pursuing his studies farther than the first volume of Lord Clarendon's

History. Did the British Parliament lose North America by concession ? Is not the loss of that great Empire solely to be ascribed to the obstinate resistance of this House to every conciliatory proposition, then supported by their own greatest men, and humbly tendered in the loyal petitions of the Colonies, until America was driven into the arms of France, and the door was for ever closed against all hopes of re-union ? Had we yielded to the latest prayers of the Americans, it is hard to say how long the two British nations might have been held together ; the separation, if absolutely necessary, might have been effected on quiet and friendly terms. Whatever may be thought of recent events, of which it is yet too early to form a final judgment, the history of their origin and progress would of itself be enough to shew the wisdom of those early Reformatations, which, as Mr. Burke says, “are accommodations with a friend in power,” and corroborates the general testimony of experience, that nations have more frequently owed their fall to obstinacy, than to a facility of yielding.

I feel some curiosity to know how many of the principled, consistent, inflexible, and hitherto unyielding opponents of the Bill, will continue to refuse to make a declaration in favour of any Reform, till the last moment of this discussion. Although I differ from them very widely in opinion, I know how to estimate their fidelity towards each other, their general fairness to others, their steadiness and firmness under

circumstances of a discouraging and disheartening nature, calculated to sow distrust and disunion in a political party. What I dread and deprecate in their system, is, that they offer no option but Reform or *coercion*. Let any man seriously consider what is the full import of this last tremendous word ; restrictions will be first laid on the people, which will be assuredly productive of new discontents, provoking an incensed government to measures still more rigorous. Discontent will rankle into disaffection, disaffection will break out into revolt, which, supposing the most favourable termination, will not be quelled without spilling the blood of our countrymen ; and at last leaving them full of hatred for their rulers, and watching for the favourable opportunity of renewing their attack. It is needless to consider the consequences of a still more disastrous and irreparable termination of the contest. It is enough for me to say, that the long continuance of such wretched scuffles between the Government and the people is absolutely incompatible with the English Constitution. The Constitution may perish in spite of Reform ; but it cannot stand under a succession of such cruel conflicts. Those who offer me this option would reduce me to the necessity of embracing Reform, even if I thought worse of its probable effects, than I think it reasonable to do ; I wish Gentlemen to consider that there is nothing certain in such contests, but their course of blood. Darkness hangs over the event. Is there nothing in the temper, in the opinions, in the circumstances of all European nations, which ren-

ders the success of popular principles probable? Inaction may be at such a crisis the most dangerous policy; and surely a bold measure is peculiarly warrantable, where the policy of leaving events to them, seems to be fraught with peril. The mode in which this matter has been argued, will excuse me for once more reminding the House that the question is one of comparative danger. I vote for the present Bill, not only because I approve of it as a measure of Reform, but because I consider it as affording the greatest probability of preserving the fundamental laws. Those who shut their eyes on the tempests which are abroad, on the mighty and terrible agents which threaten all European countries, on the gloomy silence with which the extreme parties look at each other, or the noise and fury with which they contend for dominion, may obstinately persist in ascribing the agitation of minds in Great Britain to a new Cabinet in November, or to a Reform Bill in March. To them I can make no apology for language so moderate and diffident. To those who survey all the circumstances of the world, I must again observe, that a plan of conciliation may spare the horrors of a plan of coercion, which may end in utter and hopeless defeat.

Our opponents deal much in prophecy. They foretell all the evils which will spring from Reform. They do right. Such anticipations are not only legitimate arguments, but they form the hinge on which the whole case turns. But they have two weights and two measures. They use the proba-

bility of future evil from Reform as their main stay. But when we employ the probability of future evil from Non Reform, in support of our opinion, they call it menace, and they charge us with intimidation. They do not allow to us the same fair mode of reasoning on which they exclusively rely; and they do not seem to perceive that the proofs of evil likely to issue from the measure are of no avail if they are not attended by the proof that they are probably greater than those likely to flow from its rejection.

In this, and indeed in every other branch of the case, the arguments of our opponents have so singular a resemblance to those employed by the same Gentlemen in the Catholic Question, that we might quote as the answers to them the language then used by their present allies. Then, as now, the Ministers were charged with yielding to clamour and menace, and with attempting to frighten other men out of their independence. As a brief, but conclusive answer, I have to say, that all policy consists in a consideration whether a measure be safe and beneficial; that every statesman or lawgiver ought to fear what he considers as dangerous to the public; and that I avow myself a coward at the prospect of the civil disorders which I think impending over my country. What would be thought of a man so indifferent to his country, as not to recoil from such apprehended mischief?

It is said that this measure is not final. We are told, as we were told in the case of the Catholics, that the measure is not final, and that it is sought only

as a vantage ground from which it will be more easy to effect other innovations. I denied the disposition to encroach, with which the Catholics were charged; and however afflicting the condition of Ireland may now be, I appeal to every dispassionate man, whether the relief granted the Catholics, has not, on the whole, bettered the situation, and strengthened the security of the country. I was then taught by the Right Honourable Baronet, that concession would divide loyal from disaffected opponents, and unite all friends of their country against men whose demands were manifestly insatiable. Is it not reasonable to expect some degree of the same benefits on the present occasion?

Nothing human is, in one sense of the word, final. Of a distant futurity I know nothing; and I am, therefore, altogether unfitted to make laws for it. Posterity may rightly measure their own wants, and their capacity—we cannot; the utmost that we can aspire to, is to remove elements of discord from their path. But within the very limited horizon to which the view of politicians can reach, I have already offered some reasons why I expect that a measure of concession, made in a spirit of unsuspecting confidence, may inspire the like sentiments; and believe, that the majority of the people may acquiesce in a grant of privileges so extensive, that every man may hope to earn it, given to a constituent body, who must always agree with the obvious and palpable interest, the decisive judgment, and the warm desire of the whole.

After all, is it not obvious that the people already

possess that power from their numbers, of which the exercise is dreaded? It is ours, indeed, to decide, whether they are to exert their force in the market-place, in the street, in the field, or in discussion, and debate in this House. If we somewhat increase their legal privileges, we must, also, in some measure, abate their supposed disposition to use it ill. Their exasperation out of doors appears to me more dangerous than their influence within. Here they may examine questions with a calm eye; and many of them will, surely, not be unwilling to listen to reason. To predict such danger from the admission within the pale of the Constitution now proposed, is, in truth, an avowal that the situation of this country is desperate.

On the great proprietors, much of the grace, of the generous character, of the conciliatory effect of this measure, must certainly depend. But it cannot ultimately depend upon a single class, whether such a Bill shall pass. If they be deluded and enflamed by tales of intimidation and of riot; if they are so much misled, as to doubt whether, if the fullest allowance were made for all that can be ascribed to these causes, it would amount to a visible deduction from the national unanimity; if they do not perceive that there is no more dissent from the national doctrine, than is necessary to shew the liberty of publishing opinion—whenever or wherever they act on these great errors, they may abate the healing efficacy of a great share of conciliation and improvement; but they cannot prevent its final adoption.

Above all other considerations, I should dare to advise these great proprietors to cast from them those

reasonings which would involve property in the approaching downfall of political abuse. If they assent to the doctrine that political privilege is property, they must be prepared for the inevitable consequence, that it is no more unlawful to violate property, than to resume a delegated trust. The suppression of dependent Boroughs is at hand. It will be the truest wisdom of the great proprietors, the natural guardians of the principle of property, to maintain, to inculcate, to enforce the essential distinction between it and political trust, if they be desirous not to arm the spoilers whom they dread, with arguments which they can never consistently answer.

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